

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	
	:	Case No. 19-23752-GLT
MARTIN J. VIALE	:	Chapter 13
DONNA M. VIALE,	:	
	:	
	:	
Debtors.	:	Related to Dkt. No. 184

**ORDER DISMISSING CASE WITH
PREJUDICE AND TERMINATING WAGE ATTACHMENT**

AND NOW, an oral motion (the "Motion") to dismiss this case having been made by the Chapter 13 Trustee (the "Trustee"), and notice of the Motion having been given and no response or objection having been filed, it is hereby **ORDERED, ADJUDGED AND DECREED that:**

1. The above-captioned case is **DISMISSED WITH PREJUDICE**. The Debtors remain legally liable for all his/her/their debts as if the bankruptcy petition had not been filed. Creditor collection remedies are reinstated pursuant to 11 U.S.C. § 349. Creditors are directed to 11 U.S.C. § 108(c) for time limits on filing a lawsuit to collect. Generally, a creditor's lawsuit must be filed either before the time deadline imposed by state law for filing runs or 30 days after the date of this Order, whichever is later.

2. Each income attachment issued in this case is now terminated. So that each employer and entity subject to an attachment order knows to stop the attachment, the Debtors shall immediately serve a copy of this Order on such employer and entity.

3. The Court retains jurisdiction over the Trustee's final report and account and the Trustee's certificate of distributed funds. Following submission of a final accounting and certification of distributed funds, the Trustee shall be deemed discharged from her duties in this case and the case shall be deemed closed without further Order of Court.

4. The dismissal is **with prejudice** because this represents the Debtors' fifth failed case in the last decade, and despite representations made in October 2022 that Debtors would sell assets to cure their substantial plan arrears, no affirmative actions were taken to reduce the growing plan deficit. In the absence of a written response to the trustee's request for dismissal, the Debtors' sporadic payments and their inability to make substantial progress in each of the cases suggests a lack of good faith.

5. The Clerk of Court shall give notice to all creditors of this dismissal

Dated: March 7, 2023

GREGORY L. TADDONIO
CHIEF UNITED STATES BANKRUPTCY JUDGE

Case Administrator to mail to:
All Creditors and Parties in Interest

In re:
Martin J Viale
Donna M. Viale
Debtors

Case No. 19-23752-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 07, 2023

User: auto
Form ID: pdf900

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Total Noticed: 77

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Martin J Viale, Donna M. Viale, 30 Ashley Road, Gibsonia, PA 15044-7836
cr	+ Citibank, N.A., as Trustee for CMLTI Asset Trust, PADGETT LAW GROUP, c/o Christopher Giacinto, Esq., 6267 Old Water Oak Road, Suite 203, Tallahassee, FL 32312-3858
cr	+ Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227
cr	+ Fay Servicing, LLC as servicer for Citibank, N.A., Friedman Vartolo, LLP, 85 Broad Street, Suite 501, New York, NY 10004-1734
cr	+ Township of West Deer, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
15128756	+ Advantage Asset, 3722 Southwest Freeway, Houston, TX 77027
15128762	Bernstein Law Firm, ATTN: Shawn P. McClure, Gulf Tower, Suite 2200, Pittsburgh, PA 15219
15128765	David W. Raphael, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15128766	+ Deer Lakes SD and Township, c/o Jordan Tax Service, 102 Rahway Road, Canonsburg, PA 15317-3349
15128768	+ Duquesne Light Company, Payment Processing Center, PO Box 67, Pittsburgh, PA 15267-0067
15128772	+ First Niagra Bank, PO Box 514, Lockport, NY 14095-0514
15128776	+ Investment Property Services, Inc., 30 Ashley Road, Gibsonia, PA 15044-7836
15128778	+ John K. Weinstein, Allegheny County Treasurer, PO Box 643385, Pittsburgh, PA 15264-3385
15128780	+ Kwiatkowski Plumbing, PO Box 10942, Pittsburgh, PA 15236-0942
15128782	+ M. Viale Contracting, Inc., 30 Ashley Road, Gibsonia, PA 15044-7836
15128786	+ McClure Johnston Company, 201 Corey Avenue, Braddock, PA 15104-1397
15128787	+ Miller, Limbaugh & Conley, 4767 William Flynn Highway, Allison Park, PA 15101-2456
15128790	+ PA Department of Revenue, Bureau of Compliance - Lien Section, PO Box 280948, Harrisburg, PA 17128-0948
15128792	Phelan Hallinan, LLP, 1617 JFK Blvd., Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
15148941	+ The Huntington National Bank, c/o Christopher J. Niekamp, 23 S. Main St. Third Floor, Akron, OH 44308-1818
15177127	+ Township of West Deer, GRB Law, c/o Jeffrey R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15128799	+ Township of West Deer, c/o Jordan Tax Service, 102 Rahway Road, McMurray, PA 15317-3349
15128800	+ U.S. Attorneys Office, Western District of PA, 4000 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219-1906
15388577	United Asset Management, LLC, c/o FCI Lender Services, P. O. Box 27370, Anaheim Hills, CA 92809-0112
15551969	United Asset Management, LLC, Fay Servicing, LLC, Bankruptcy Department, PO Box 814609, Dallas, TX 75381-4609

TOTAL: 25

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: ecfbnc@aldridgepите.com	Mar 08 2023 00:01:00	Bayview Loan Servicing, LLC, ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921
cr	+ Email/Text: ebnjts@grblaw.com	Mar 08 2023 00:01:00	County of Allegheny, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
cr	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, 8950 Cypress Waters Boulevard, Coppell, TX 75019-4620
cr	+ Email/Text: RASEBN@raslg.com	Mar 08 2023 00:01:00	Lehman XS Trust Mortgage Pass-Through

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			Certificates, RAS Crane, LLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
cr	+ Email/PDF: rmscedi@recoverycorp.com	Mar 08 2023 00:05:55	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	Mar 08 2023 00:01:00	Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ Email/Text: RASEBN@raslg.com	Mar 08 2023 00:01:00	U.S. Bank National Association, RAS Crane, LLC, 10700 Abbott's Bridge Road, Suite 170, Duluth, GA 30097-8461
15128757	Email/PDF: bncnotices@becket-lee.com	Mar 08 2023 00:16:28	American Express, PO Box 1270, Newark, NJ 07101-1270
15156809	Email/PDF: bncnotices@becket-lee.com	Mar 08 2023 00:16:33	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15128758	+ Email/Text: bncmail@w-legal.com	Mar 08 2023 00:01:00	Azurea I, LLC, c/o Weinstein, Pinson & Riley, PS, 2001 Western Avenue, Suite 400, Seattle, WA 98121-3132
15128759	Email/Text: creditcardbkcorrespondence@bofa.com	Mar 08 2023 00:01:00	Bank of America, PO Box 15019, Wilmington, DE 19886
15128760	+ Email/Text: creditcardbkcorrespondence@bofa.com	Mar 08 2023 00:01:00	Bank of America Home Loans, PO Box 15222, Wilmington, DE 19886-5222
15128761	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Mar 08 2023 00:01:00	Bayview Loan Servicing, 4425 Ponce de Leon Blvd, 5th Floor, Miami, FL 33146-1839
15167170	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Mar 08 2023 00:01:00	Bayview Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gables, FL 33146-1839
15128774	Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2023 00:16:33	Home Depot Credit Services, Processing Center, Des Moines, IA 50364-0500
15128763	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 08 2023 00:06:09	Capital One, PO Box 71083, Charlotte, NC 28272-1083
15151806	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 08 2023 00:05:38	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15166609	Email/Text: ECF@fayservicing.com	Mar 08 2023 00:01:00	Citibank, N.A., as trustee for CMLTI Asset Trust, c/o Fay Servicing LLC, PO Box 814609, Dallas TX 75381-4609
15128764	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2023 00:16:27	Citibank/Staples, 701 East 60th Street North, Sioux Falls, SD 57104-0432
15301396	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1839
15177126	+ Email/Text: ebnjts@grblaw.com	Mar 08 2023 00:01:00	County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
15128783	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 08 2023 00:16:33	Macy's, PO Box 8118, Mason, OH 45040
15165606	+ Email/Text: kburkley@bernsteinlaw.com	Mar 08 2023 00:01:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15128771	Email/Text: SAABankruptcy@fcbanking.com	Mar 08 2023 00:01:00	First Commonwealth Bank, PO Box 400, Indiana, PA 15701
15128770	+ Email/Text: collectionbankruptcies.bancorp@53.com	Mar 08 2023 00:01:00	Fifth Third Bank, PO Box 740789, Cincinnati, OH 45274-0789
15163815	+ Email/Text: FifthThirdBKNotices@nationalbankruptcy.com	Mar 08 2023 00:01:00	Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013

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15128773	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2023 00:05:41	GE Capital Retail Bank, PO Box 985033, Orlando, FL 32896-0001
15128775	+ Email/Text: bankruptcy@huntington.com	Mar 08 2023 00:01:00	Huntington National Bank, 2361 Morse Road, Columbus, OH 43229-5856
15128777	Email/Text: sbse.cio.bnc.mail@irs.gov	Mar 08 2023 00:01:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
15128779	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Mar 08 2023 00:01:00	KeyBank, N.A., 4910 Tiedeman Road, Brooklyn, OH 44144-2338
15128781	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2023 00:06:07	Lowe's, PO Box 530914, Atlanta, GA 30353-0914
15128784	Email/Text: mwhcpaoffice@yahoo.com	Mar 08 2023 00:01:00	Mark Heidenreich, CPA, 6125 Penn Drive, Butler, PA 16002
15137864	Email/Text: mwhcpaoffice@yahoo.com	Mar 08 2023 00:01:00	Mark W. Heidenreich, CPA, c/o Mark W. Heidenreich & Co. LLC, 6125 Penn Drive, Butler, PA 16002
15128785	+ Email/Text: bknotices@mbandw.com	Mar 08 2023 00:01:00	McCarthy Burgess & Wolff, 26000 Cannon Road, Bedford, OH 44146-1807
15128788	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	Mr. Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
15505062	Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	Nationstar Mortgage, LLC, c/o RightPath Servicing, P.O. Box 619096, Dallas, TX 75261-9741
15152153	Email/PDF: pa_dc_claims@navient.com	Mar 08 2023 00:05:54	NAVIENT PC TRUST, C/O Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
15128789	Email/PDF: pa_dc_claims@navient.com	Mar 08 2023 00:05:40	Navient, PO Box 9640, Wilkes Barre, PA 18773-9640
15128791	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 08 2023 00:01:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15128794	Email/Text: Bankruptcy.Notices@pnc.com	Mar 08 2023 00:01:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
15128793	Email/Text: Bankruptcy.Notices@pnc.com	Mar 08 2023 00:01:00	PNC Bank, PO Box 856177, Louisville, KY 40285
15128795	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 08 2023 00:05:41	Portfolio Recovery Associates, POB 12914, Norfolk, VA 23541
15147174	Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 08 2023 00:01:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
15128798	+ Email/Text: bkteam@selenefinance.com	Mar 08 2023 00:01:00	SRMOF II 2011-1 Trust, c/o Selen Finance, LP, Attn: Bankruptcy dept, 9990 Richmond Avenue Suite 400, South Houston, TX 77042-4546
15128796	+ Email/PDF: pa_dc_claims@navient.com	Mar 08 2023 00:06:09	Sallie Mae, 1002 Arthur Drive, Lynn Haven, FL 32444-1683
15128797	+ Email/Text: bkteam@selenefinance.com	Mar 08 2023 00:01:00	Selene Finance, PO Box 422039, Houston, TX 77242-4239
15130236	+ Email/PDF: gecsed@recoverycorp.com	Mar 08 2023 00:06:10	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15128801	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	U.S. Bank N.A., c/o Nationstar Mortgage LLC dba Mr Coope, PO Box 619096, Dallas, TX 75261-9096
15147262	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 08 2023 00:01:00	U.S. Bank National Association, ATTN: Bankruptcy Dept, PO Box 619096, Dallas TX 75261-9096
15128802	^ MEBN	Mar 08 2023 00:00:00	UPMC Health Services, PO Box 1123,

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Minneapolis, MN 55440-1123

15128803 + Email/PDF: gecsedl@recoverycorp.com

Mar 08 2023 00:06:06

Wal-Mart Discover, PO Box 960024, Orlando, FL
32896-0024

15128769 + Email/PDF: bncnotices@becket-lee.com

Mar 08 2023 00:16:21

eCast Settlement Corporation, PO Box 29262,
New York, NY 10087-9262

TOTAL: 52

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Community Loan Servicing, LLC
cr		Fifth Third Bank, N.A.
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper et al
cr		THE HUNTINGTON NATIONAL BANK
cr		United Asset Management, LLC
cr		United Asset Management, LLC as Trustee for CMLTI
15128767		Dell Preferred Account, Payment Processing Center, PO Box 6403
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

TOTAL: 7 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 09, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2023 at the address(es) listed below:

Name	Email Address
Allison L. Carr	on behalf of Creditor Dep't of Revenue Office of Attorney General acarr@attorneygeneral.gov
Ashleigh Levy Marin	on behalf of Creditor Citibank N.A., as Trustee for CMLTI Asset Trust amarin@feinsuch.com, pabankruptcy@feinsuch.com
Brian Nicholas	on behalf of Creditor Bayview Loan Servicing LLC bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Martin J Viale bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.co m;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Brian C. Thompson	on behalf of Joint Debtor Donna M. Viale bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.co m;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Christopher A. DeNardo	on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-6, U.S. Bank National Association, a logsecf@logs.com

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Daniel Philip Jones	on behalf of Creditor United Asset Management LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com
Daniel Philip Jones	on behalf of Creditor Community Loan Servicing LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com
Jeffrey R. Hunt	on behalf of Creditor Township of West Deer jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Fifth Third Bank N.A. kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kristen D. Little	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al kdlittlecf@gmail.com
Lorraine Gazzara Doyle	on behalf of Creditor Fay Servicing LLC as servicer for Citibank, N.A., as trustee for CMLTI Asset Trust ldoyle@logs.com, logsecf@logs.com
Mario J. Hanyon	on behalf of Creditor U.S. Bank National Association wbecf@brockandscott.com mario.hanyon@brockandscott.com
Mario J. Hanyon	on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-6, U.S. Bank National Association, a wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Michael John Clark	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al mclark@squirelaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Ryan Starks	on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-6, U.S. Bank National Association, a Ryan.Starks@brockandscott.com, wbecf@brockandscott.com
S. James Wallace	on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com
Sindi Mncina	on behalf of Creditor U.S. Bank National Association smncina@rascrane.com
Steven K. Eisenberg	on behalf of Creditor United Asset Management LLC seisenberg@sterneisenberg.com, bkecf@sterneisenberg.com
Tammy Benoza	on behalf of Creditor United Asset Management LLC tterrell@fskslaw.com
Tammy Benoza	on behalf of Creditor Citibank N.A., as Trustee for CMLTI Asset Trust tterrell@fskslaw.com
Tammy Benoza	on behalf of Creditor United Asset Management LLC as Trustee for CMLTI Asset Trust, LLC tterrell@fskslaw.com
Thomas Song	on behalf of Creditor Bayview Loan Servicing LLC pawb@fedphe.com
Wade T. Doerr	on behalf of Creditor THE HUNTINGTON NATIONAL BANK wdoerr@brouse.com

TOTAL: 28